

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31620 of 2024

Arising Out of PS. Case No.-66 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Md Seraz Alam @ Md Seraj Alam son of Mahfuz Alam Resident of Village-
Amiyawar, Police Station- Nasriganj, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Shabina Khatun Wife of Md. Seraz Alam @ Md. Seraj Alam Resident of
Village- Amiyawar, Police Station- Nasriganj, Dist.- Rohtas, Presently
resided with Daughter of Noorhasan Ansari at Village- Suara, Police Station-
Nokha, Dist.- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Mishra, Adv.
For the Opposite Party/s	:	Mr. Dr. Ajeet Kumar, APP
For the O. P. no. 2	:	Mr. Syed Alamdar Hussain, Adv.
	:	Ms. Minu Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

11 28-03-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 66 of 2023 for the offence under Sections 341, 406, 498A, 307/511, 120(B) of the Indian Penal Code.

4. It is a case of matrimonial dispute between the parties. Petitioner is the husband of opposite party no. 2 (complainant). Allegation against the petitioner and his family members is of torturing, assaulting and ousting the complainant from her matrimonial house due to non-fulfillment of dowry demand.



5. Learned counsel for the petitioner submits that petitioner is quite innocent, committed no offence and has been falsely implicated in this case. Petitioner has never demanded any dowry from the complainant and for that never tortured her.

6. Learned Additional Public Prosecutor opposes the prayer of anticipatory bail.

7. During course of argument learned counsel for the petitioner submits that prior to this case, a divorce case has already been filed in the court of Principal Judge, Family Court, Rohtas at Sasaram. Petitioner is working in Indian Army and he is posted at Chandigarh. He also submits that he is regularly paying the maintenance amount of Rs. 8,000/- per month as awarded by Principal Judge, Family Court, Rohtas at Sasaram in maintenance case. Learned counsel appearing on behalf of the complainant submits that he is not paying the said maintenance amount regularly.

8. So, keeping in view the aforesaid facts, petitioner is enlarged on anticipatory bail subject to condition that petitioner will file an affidavit in the trial court regarding payment of up-to-date maintenance amount. Let the petitioner be enlarged on bail in the event of arrest or surrender within a period of four weeks from the receipt/production of this order, on furnishing



bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Complaint Case No. 66 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

prabhakar/-

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